HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 1037 of 2025

Mohammad Salman

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ashok Kumar Mishra, Sunit Kumar, Yatish Kumar Dwivedi
Counsel for Respondent(s)	:	G.A.

Court No. - 47

HON'BLE RAJEEV MISRA, J.
HON'BLE DEVENDRA SINGH-I, J.

1. Case called out in revised list.

2. Even though the names of Mr. Yatish Kumar Dwivedi and Mr. Ashok Kumar Mishra, are duly published in the cause list as counsel for petitioner, however neither they nor any one on their behalf is present to press this writ petition even in revised call.

3. Learned A.G.A. representing State/respondents 1 and 2 is present.

4. Perused the record.

5. Petitioner-Mohammad Salman has approached this Court by means of present Criminal Misc. Writ Petition challenging the impugned F.I.R. dated 05.02.2024 lodged by first informant-respondent- 3-SHO-Ajay Kumar Singh and registered as Case Crime No. 0016 of 2024, under Section 2/3 the U.P. Gangster & Anti Social Activities (Prevention) Act, 1986, Police Station ET, District Jalaun.

6. Present writ petition came up for admission on 21.01.2025 and this Court passed the following order;-

> *"1. Heard learned counsel for the petitioner, learned A.G.A. for the State and perused the record.*
>
> *2. Learned counsel for the petitioner has submitted that only on the basis of a solitary case, the impugned first information report under Sections 2/3 of the U.P. Gangsters and Anti-Social*

Activities (Prevention) Act, 1986 has been slapped against the petitioner, as such, the impugned first information report is bad in law and the same is liable to be quashed.

3. Matter requires consideration.

4. Learned AGA prays for and is granted three weeks' time to file counter affidavit. Rejoinder affidavit, if any, may also be filed within one week thereafter.

5. List this case on 04.04.2025 before the appropriate Bench.

6. Till then, the petitioner shall not be arrested in pursuance of the impugned F.I.R. dated 05.02.2024 giving rise to Case Crime No. 16 of 2024, under Sections 2/3 of the U.P. Gangsters and Anti-Social Activities (Prevention) Act, 1986, Police Station Et, District Jalaun."

7. However, upon perusal of order-sheet we find that the interim order dated 21.01.2025 was never extended. As such on date no interim protection is in existence in favour of the petitioner.

8. Considering the fact that the FIR impugned in present writ petition was lodged on 05.02.2024 and a period of more then 2 years and 8 months have expired since then.

9. In view of the above, we are, therefore, of the considered opinion that by efflux of time, this petition has been rendered infructuous.

10. It is accordingly dismissed as having been rendered infructuous.

11. Interim order, if any, shall stand vacated.

October 23, 2026
Vikram

(Devendra Singh-I,J.) (Rajeev Misra,J.)

Digitally signed by :-
VIKRAM SINGH
High Court of Judicature at Allahabad